

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ECF

STEVEN MENDOZA, individually and on behalf of other
persons similarly situated,
Plaintiffs,

Case No.: 20-cv-659 (KAM)(PK)

**SMITHSIMON DECLARATION
IN SUPPORT OF
CONSENT MOTION**

-against-

UNITED SALES U.S.A. CORP., SOLOMON ENDZWEIG,
and ABRAHAM GOLDBERGER,
Defendants.

1. I am an attorney with Conover Law Offices, attorneys for the plaintiffs, Steven Mendoza and Bobbylee Ruiz, in the above-referenced action.
2. I submit this declaration in support of plaintiffs' consent motion requesting approval of the parties' Settlement Agreement, a copy of which was attached as Exhibit A to the plaintiff's consent motion, Document #23.
3. I am an experienced litigator admitted to the Second Circuit and the New York State bar with approximately fourteen years of experience devoted to plaintiff side employment litigation, including FLSA cases.
4. The attorney time and expenses were incurred on this matter from September 12, 2019 to March 24, 2021. Our firm regularly maintains records of the firm's time and costs on all matters.
5. Since September 2019, as recorded on the firm's Timeslips records, I expended approximately 90 hours of time on plaintiffs' FLSA claims in this matter, at an hourly rate of \$450 for time totaling \$41,310. My work included meeting with plaintiffs, including emails, texts and telephone calls, drafting and filing the complaint, appearing at the initial court


conference and status conferences, drafting initial disclosures, gathering responsive documents, reviewing defendants' document production, drafting discovery deficiency letters, conferencing with opposing counsel, drafting letters to the Court, engaging in settlement negotiations with defendants, drafting and revising settlement documents, and drafting and revising the memorandum of law in support of court approval of the settlement, together with supporting documents.

6. Costs were incurred of \$400 for the court filing fee plus \$166 was incurred for service of process for a total of \$566.

7. The total fees for settlement of plaintiff's FLSA claims amounted to \$13,000. The proposed attorney's fee represents approximately 30% of the fees actually invested, which is reasonable and fair.

8. I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
March 24, 2021

By: 
Molly Smithsimon